

MONDAY, MARCH 8, 1993

SEVENTEENTH LEGISLATIVE DAY

The House met at 5:00 p.m. and was called to order by Mr. Speaker Naifeh.

The proceedings were opened with prayer by Rev. Dwight Fuqua, Hartsville Church of Christ, Hartsville, Tennessee.

Representative Bell led the House in the Pledge of Allegiance to the Flag.

EXCUSED

The Speaker announced that the following member(s) has/have been excused, pursuant to request(s) under Rule No. 20:

Representative Fowlkes.

Representative Johnson; illness.

Representative Turner (Hamilton); doctor's appointment.

Representative Winningham.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 93.

JOURNAL CORRECTION

The following should have been placed in the Journal for February 22, 1993, page 419:

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**REQUEST TO CHANGE VOTE**

Pursuant to Rule No. 31, the following members desire to change their original stand from present not voting to aye on Senate Bill No. 56 and have this statement entered in the Journal: Rep. Wayne Ritchie.

**PRESENT IN CHAMBER**

Representative(s) Jackson and Kernell was/were recorded as being present in the Chamber.

**ENROLLED BILLS**

March 8, 1993

The following bill(s) have been compared, enrolled, and are ready for the signature(s) of the Speaker(s): House Bill(s) No(s). 246, 266, 556, 650, 652, 672, 976, 989, 1154 and 1155; also, House Joint Resolution(s) No(s). 53, 74, 75, 76, 78 and 90.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**SIGNED**

March 8, 1993

The Speaker announced that he had signed the following: House Bill(s) No(s). 246, 266, 556, 650, 652, 672, 976, 989, 1154 and 1155; also, House Joint Resolution(s) No(s). 53, 74, 75, 76, 78 and 90.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

**MESSAGE FROM THE GOVERNOR**

March 8, 1993

MR. SPEAKER: I am directed by the Governor to return herewith: House Bill(s) No(s). 271, 405, 551, 554, 817, 915, 916, 936 and 950; also House Joint Resolution(s) No(s). 68, 69, 87 and 92; with his approval.

DAVID H. WELLES, Counsel to the Governor.

**RULES SUSPENDED**

Rep. Kent moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 104 out of order, which motion prevailed.

House Joint Resolution No. 104 -- Memorials, Recognition and Thanks -- Jason D. Williams. by \*Kent

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On motion, the rules were suspended for the immediate consideration of the resolution.

On motion of Rep. Kent, with the request that all members voting aye be added as sponsors, the House Joint Resolution No. 104 was adopted by the following vote:

Ayes. . . . .	91
Noes. . . . .	0
Present and not voting . . . . .	1

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 91.

Representatives present and not voting were: Walley -- 1.

A motion to reconsider was tabled.

#### REQUEST TO CHANGE VOTE

Pursuant to Rule No. 31, the following member(s) desire to change their original stand from present not voting to aye on House Joint Resolution No. 104 and have this statement entered in the Journal: Rep(s). Page Walley.

#### INTRODUCTION OF RESOLUTIONS

On motion, pursuant to Rule No. 17, the resolution(s) listed was/were introduced and referred to the appropriate Committee:

House Joint Resolution No. 0103 -- General Assembly, Studies -- Continues business tax committee for duration of 98th General Assembly; adds business recruitment and development and use of incentives to area of study. by \*Kisber, \*Purcell, \*Bragg, \*Turner B, \*Jones R.

Finance, Ways and Means Committee.

RESOLUTIONS

Pursuant to Rule No. 17, the following resolution(s) was/were introduced and placed on the Consent Calendar for Wednesday, March 10, 1993:

House Joint Resolution No. 0105 -- Memorials, Retirement -- Robert Marshall Liggett. by \*Williams Mike, \*Callicott.

House Joint Resolution No. 0108 -- Memorials, Personal Occasion -- Mr. and Mrs. Hugh Elder, fiftieth wedding anniversary. by \*Windle.

House Joint Resolution No. 0110 -- Memorials, Death -- Roy Acuff. by \*Williams Micheal.

House Joint Resolution No. 0111 -- Memorials, Recognition and Thanks -- Ruth Shaver Simpson. by \*Bell.

House Joint Resolution No. 0114 -- Memorials, Retirement -- Byron H. Hale. by \*Coffey.

RESOLUTIONS LYING OVER

On motion, the resolutions(s) listed was/were referred to the appropriate Committee:

Senate Joint Resolution No. 0081 -- Naming and Designating -- Martin Luther King, Jr., Solidarity Day, March 14, 1993.

State and Local Government Committee.

SENATE BILLS TRANSMITTED

On motion, the Senate Bills listed below, transmitted to the House, were held on the Clerk's desk pending third consideration of the companion House Bill as noted:

\*Senate Bill No. 0189 -- Water Pollution and Water Resources -- Revises name of Tennessee Upper Duck development agency to Tennessee Duck River development agency. Amends TCA 4-29-217; Title 64, Ch. 1, Pt. 6. (HB 0546).

\*Senate Bill No. 0199 -- Children -- Authorizes surrender of children in juvenile court. Amends TCA, Title 36, Ch. 1. (HB 0594).

\*Senate Bill No. 0556 -- Notary Public -- Allows notary public elected by county legislative body to be certified as notary at large in all counties upon application to secretary of state. Amends TCA, Title 8. (HB 0493).

\*Senate Bill No. 0596 -- Metropolitan Government -- Increases

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number of members of board required to approve removal of member for good cause by majority vote from two thirds to three fourths. Amends TCA 7-2-108. (HB 1144).

**\*Senate Bill No. 0597 -- Taxes, Real Property --** Enables recorders or other officers to sell real estate for which delinquent taxes have not been paid; sets out publication requirements for such sales. Amends TCA 6-55-201, 203. (HB 0425).

**Senate Bill No. 0616 -- DUI/DWI Offenses --** Revises BAC test fee in Davidson County from \$17.50 to up to \$50; changes fee for making arrests in criminal cases in Davidson County to up to \$50, as determined by county legislative body. Amends TCA, Titles 8, 55. (\*HB 0023).

**Senate Bill No. 0630 -- Alcoholic Beverages --** Permits establishment of microbreweries in Knox County under certain circumstances. Amends TCA, Title 57, Ch. 5. (\*HB 0392).

**\*Senate Bill No. 0666 -- Agriculture --** Exempts seed cotton trailers and wagons from certain size restrictions. Amends TCA, Title 55, Ch. 7. (HB 0761).

**\*Senate Bill No. 0687 -- Utilities, Utility Districts --** Authorizes compensation of \$100 per month for public utility board members in Sullivan County if county legislative body approves. Amends TCA 5-16-103. (HB 0724).

**\*Senate Bill No. 0694 -- Regional Authorities --** Authorizes local legislative body to provide compensation for members of regional planning commission. Amends TCA 13-3-101. (HB 0623).

**\*Senate Bill No. 0996 -- Probate Law --** Requires filing in court to take elective share in decedent's property; if mailed, to be by certified mail, return receipt requested. Amends TCA, Title 31, Ch. 4, Pt. 1. (HB 0943).

**HOUSE BILLS ON SECOND CONSIDERATION**

On motion, bills listed below passed second consideration and were referred by the Speaker to Committee or held on the Clerk's desk as noted:

**House Bill No. 1601 -- Bartlett --** Held on Clerk's desk pending approval by local delegation.

**House Bill No. 1602 -- Halls --** Held on Clerk's desk pending approval by local delegation.

**House Bill No. 1603 -- Alcoa --** Held on Clerk's desk pending approval by local delegation.

**House Bill No. 1604 -- Blount County --** Held on Clerk's desk pending approval by local delegation.

REPORTS OF SELECT COMMITTEES

The Clerk announced that the Joint Study Committee on Veterans Affairs, pursuant to House Joint Resolution No. 6 of the 97th General Assembly, has completed its work and submitted its final report, which is on file in the Clerk's office.

CONSENT CALENDAR

**House Bill No. 1322** -- Williamson County -- Restructures board of trustees of Williamson County Hospital. Amends Chapter 107, Private Acts of 1957, as amended.

**House Bill No. 1340** -- Newport -- Includes secretary dispatcher employed by police department in classified civil service. Amends Chapter 539, Private Acts of 1953, as amended.

**House Bill No. 1408** -- Humphreys County -- Increases amount of minimum bid required for approval or competitive bidding from \$1,000 to \$2,500. Amends Chapter 634, Private Acts of 1935, as amended.

**House Bill No. 1409** -- Waverly -- Repeals provision requiring sales of surplus property or purchases over \$500 be subject to approval of board and competitive bidding. Repeals Chapter 22, Private Acts of 1975, as amended.

**House Bill No. 1589** -- Jonesborough -- Establishes offices of recorder and city judge. Amends Chapter 135, Acts of 1903.

**House Bill No. 0743** -- Highway Signs -- "Madisonville" and "Tellico Plains," 175, Exit 60.

On motion, House Bill No. 743 was made to conform with Senate Bill No. 236; the Senate bill was substituted for the House Bill.

**House Bill No. 1598** -- Oliver Springs -- Revises charter. Amends Chapter 247, Acts of 1905, as amended.

**\*House Resolution No. 0012** -- Memorials, Sports -- Jefferson County High School Patriette Dance Team.

Pursuant to Rule No. 50, Rep. Phillips moved that all House Bills having companion Senate Bills and are on the Clerk's desk be conformed and substituted for the appropriate House Bill, all Senate and House Bills on the Consent Calendar be passed on third and final consideration, all House Resolutions and House Joint Resolutions be adopted, and all Senate Joint Resolutions on the Consent Calendar be concurred in, which motion prevailed by the following vote:

Ayes. . . . .	93
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong,

Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 93.

A motion to reconsider was tabled.

### REGULAR CALENDAR

House Bill No. 0618 -- Drugs -- Increases time period from 21 to 30 days for person to request hearing when confiscation occurs. Amends TCA, Title 53, Ch. 11, Pt. 2.

Rep. Herron moved that House Bill No. 618 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

House Bill No. 0698 -- Fire Prevention and Investigation -- Transfers arson investigators from department of commerce and insurance to TBI; establishes arson investigation division. Amends TCA, Title 38, Ch. 6, Title 68, Ch. 102.

Rep. Rhinehart moved that House Bill No. 698 be passed on third

and final consideration.

Rep. Rhinehart moved that Commerce Committee Amendment No. 1 be moved to the heel of the amendments, which motion prevailed.

Rep. Rhinehart moved to adopt Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 698 by deleting all language after the enacting clause and by substituting instead the following:

SECTION 1. Tennessee Code Annotated, Title 38, Chapter 6, Part 1, is amended by adding the following language as a new, appropriately designated section:

The arson investigation unit shall consist of persons who, by virtue of training and/or experience, are skilled at detecting and analyzing evidence to indicate that a fire was intentionally set. It shall be the duty of the unit to suppress arson and to investigate the cause, origin, and circumstances of suspicious fires which are destructive of buildings and other property. At the direction of the director of the Tennessee bureau of investigation, and upon request from the district attorney general or the commissioner of the department of commerce and insurance the unit may assist in performing arson related duties and responsibilities assigned to the department under the provisions of Tennessee Code Annotated, Title 68, Chapter 102, Part 1. All full-time arson investigators employed by the department of commerce and insurance on July 1, 1993, shall be transferred to the bureau of investigation, arson investigation unit.

SECTION 2. Tennessee Code Annotated, Section 68-102-102, is amended by deleting item (6) in its entirety.

SECTION 3. Tennessee Code Annotated, Section 68-102-128, is amended by deleting the words and punctuation ", including full-time arson investigators," and by substituting instead the following:

, including special agents of the Tennessee bureau of investigation,

SECTION 4. Tennessee Code Annotated, Section 68-102-130, is amended by deleting the words "or any of the commissioner's assistants" and by substituting instead the following:

, any of the commissioner's assistants, or any special agents of the Tennessee bureau of investigation.



SECTION 5. Tennessee Code Annotated, Section 68-102-132, is amended by deleting the last sentence and by substituting instead the following:

All such records of any investigation conducted by special agents of the Tennessee bureau of investigation, arson investigation unit under the provisions of this chapter, shall be confidential records pursuant to Tennessee Code Annotated, Section 10-7-504(a)(2)."

SECTION 6.

(a) The entire operating budget pursuant to Tennessee Code Annotated, Section 68-102-142, shall be turned over to the Tennessee bureau of investigation.

(b) Tennessee Code Annotated, Section 68-102-142, is amended by deleting the words "pay to the commissioner of commerce and insurance" and by substituting instead the words "pay to the director of the Tennessee bureau of investigation".

SECTION 7. Tennessee Code Annotated, Title 68, Chapter 102, Part 1, is amended by adding the following language as a new, appropriately designated section:

All full-time arson investigators employed by the department of commerce and insurance on July 1, 1993, shall be transferred to the Tennessee bureau of investigation, criminal investigation division, arson investigation unit. Thereafter, the department of commerce and insurance may, upon request, receive arson investigation services from the bureau of investigation, arson investigation unit. After July 1, 1993, the department of commerce and insurance shall not employ arson investigators.

SECTION 8. All support staff presently assigned to the arson investigation section of the department of commerce and insurance shall be transferred to the Tennessee bureau of investigation, along with all equipment, records, supplies and furniture presently allocated to them to provide support services to the arson investigation unit.

SECTION 9. All equipment, weapons, and vehicles presently assigned to the arson investigation section shall be transferred to the Tennessee bureau of investigation.

SECTION 10. This act shall take effect July 1, 1993, the public welfare are requiring it.

from Wednesday to the Calendar for Wednesday, March 24, 1993, which motion prevailed.

House Bill No. 0510 -- Cooperatives -- Authorizes electric cooperatives and telephone cooperatives to loan money to third parties. Amends TCA, Title 65, Chs. 25, 29.

Rep. Buck moved that House Bill No. 510 be passed on third and final consideration.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 1 as follows:

Amendment No. 1

Amend House Bill No. 510 by deleting the amendatory language of SECTION 2 in its entirety and substituting instead the following:

( ) To promote economic and industrial development through participation both as a borrower and a lender in various programs established by the Rural Electrification Administration only if:

(A) The cooperative provides service and has customers in not more than eight (8) counties;

(B) One of the counties served by the cooperative contains and is physically divided by a United States Corps of Engineers dam and reservoir project of at least thirty-four thousand (34,000) acres; and

(C) On the effective date of this act the cooperative serves less than twenty thousand (20,000) subscribers.

On motion, Amendment No. 1 was adopted.

Rep. Rhinehart moved adoption of Commerce Committee Amendment No. 2 as follows:

Amendment No. 2

Amend House Bill No. 510 by deleting SECTION 1 in its entirety and substituting instead the following:

SECTION 1. Tennessee Code Annotated, Section 65-25-204, is amended by deleting subsection (a)(1)(B) and substituting instead the following:

(B) Promoting economic and industrial development through participation both as a borrower and a lender in various programs established by the Rural

Electrification Administration; or

(C) Supplying, furnishing or exchanging wholesale power and energy to or with any other entity; and/or

On motion, Amendment No. 2 was adopted.

Rep. Buck moved that House Bill No. 510, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	89
Noes. . . . .	5

Representatives voting aye were: Allen, Anderson, Armstrong, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hassell, Haun, Herron, Hillis, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 89.

Representatives voting no were: Arriola, Head, Joyce, Ritchie, Westmoreland -- 5.

A motion to reconsider was tabled.

House Bill No. 0239 -- Sunset Laws -- Wastewater financing board, June 30, 2001. Amends TCA, Title 4, Ch. 29; Title 68, Ch. 221.

On motion, House Bill No. 239 was made to conform with Senate Bill No. 106; the Senate Bill was substituted for the House Bill.

Rep. Kernell moved that Senate Bill No. 106 be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	94
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey,

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Jackson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 94.

A motion to reconsider was tabled.

**House Bill No. 0338 -- Sunset Laws -- Elk regional resource authority, June 30, 2000. Amends TCA, Title 4, Ch. 29; Title 64, Ch. 5.**

Rep. Kernell moved that House Bill No. 338 be passed on third and final consideration.

Rep. Kernell moved that House Bill No. 338 be reset one week to the Calendar for Monday, March 15, 1993, which motion prevailed.

**-- House Bill No. 0515 -- Contractors -- Exempts church that builds sanctuary designed for 300 or less on own property from requirement that such church have license to engage in contracting. Amends TCA 62-6-103.**

Further consideration of House Bill No. 515, previously considered on March 4, 1993, at which time Amendment No. 1 was adopted.

Rep. Buck moved that House Bill No. 515 be passed on third and final consideration.

Rep. Buck moved to adopt Amendment No. 2 as follows:

**Amendment No. 2**

Amend House Bill No. 515 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. If any provision of this act or the application thereof to any person or circumstance is held invalid, such invalidity shall not affect other provisions or applications of the act which can be given effect without the invalid provision or application, and to that end the provisions of this act are declared to be severable.

On motion, Amendment No. 2 was adopted.

Rep. Kernell moved to adopt Amendment No. 3 as follows:

Amendment No. 3

Amend House Bill No. 515 by adding the following new section immediately preceding the last section and by renumbering the subsequent section accordingly:

Section \_\_\_\_\_. The provisions of this act shall not apply in any county having a population in excess of 800,000 or more according to the 1990 Federal Census of population or any subsequent federal census.

On motion, Amendment No. 3 was adopted.

Rep. Gunnels moved the previous question, which motion prevailed.

Rep. Buck moved that House Bill No. 515, as amended, be passed on third and final consideration, which motion prevailed by the following vote:

Ayes. . . . .	71
Noes. . . . .	18
Present and not voting. . . . .	5

Representatives voting aye were: Allen, Anderson, Arriola, Bell, Bittle, Boyer, Bragg, Buck, Byrd, Callicott, Chiles, Clark, Cole (Carter), Collier, Crain, Cross, Davidson, Davis, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman Harwell, Hargrove, Haun, Head, Herron, Hillis, Huskey, Jackson, Kent, Kisber, Liles, McDaniel, McKee, Meyer, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Robinson, Severance, Stamps, Stockburger, Stulce, Thompson, Tindell, Venable, Walley, West, Westmoreland, Whitson, Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 71.

Representatives voting no were: Armstrong, Brooks, Brown, Chumney, DeBerry, Dixon, Hassell, Jones R (Shelby), Jones U (Shelby), Joyce, Knight, Lewis, McAfee, Miller, Ritchie, Shirley, Turner (Shelby), Williams (Shelby) -- 18.

Representatives present and not voting were: Cole (Dyer), Kernell, Love, Pruitt, Rinks -- 5.

A motion to reconsider was tabled.

MESSAGE CALENDAR

HOUSE ACTION ON SENATE AMENDMENTS

\*House Bill No. 0109 -- Highway Signs -- "Battle of Davis Bridge Civil War Battlefield," SR 57.

Senate Amendment No. 2

Amend House Bill No. 109 by deleting the words "Civil War" wherever it may appear.

Rep. Walley moved that the House concur in Senate Amendment(s) No(s). 2 to House Bill No. 109, which motion prevailed by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

UNFINISHED BUSINESS

RULES SUSPENDED

Rep. Pinion moved that the rules be suspended for the purpose of introducing House Joint Resolution No. 113 out of order, which motion prevailed.

House Joint Resolution No. 0113 -- Memorials, Death -- Lillie Ruth Ridgeway of Paris. by \*Pinion.

On motion, the rules were suspended for the immediate consideration of the resolution, with the request that the Clerk read the resolution.

On motion of Rep. Pinion, with the request that all members voting aye be added as sponsors, the resolution was adopted by the following vote:

Ayes. . . . .	95
Noes. . . . .	0

Representatives voting aye were: Allen, Anderson, Armstrong,

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Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Gunnels, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Jones R (Shelby), Jones U (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 95.

A motion to reconsider was tabled.

**RULES SUSPENDED**

Rep. Anderson moved that **Rule No. 50** be suspended so that **House Bill No. 1604** could be placed on the Consent Calendar for Wednesday, March 10, 1993, which motion prevailed.

**House Bill No. 1604** -- Blount County -- Increases hotel/motel and campground tax. Amends Chapter 102, Private Acts of 1979, as amended.

**BILLS WITHDRAWN**

On motion of Rep. Bell, **House Bill No. 838** was recalled from the Government Operations Committee and withdrawn from the House.

On motion of Rep. Kent, **House Bill No. 219** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Walley, **House Bill No. 321** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Walley, **House Bill No. 322** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Buck, **House Bill No. 582** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Buck, **House Bill No. 157** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. Ferguson, **House Bill No. 485** was recalled from the Judiciary Committee and withdrawn from the House.

On motion of Rep. McKee, **House Bill No. 740** was recalled from the Education Committee and withdrawn from the House.

**SPONSORS ADDED**

Under Rule No. 43, the following member(s) was/were permitted to add their name(s) as sponsor(s) as indicated below, the prime sponsor of each having agreed to such addition:

House Bill No. 305: Rep(s). McDaniel as prime sponsor(s).

House Bill No. 515: Rep(s). Whitson as prime sponsor(s).

House Bill No. 540: Rep(s). Severance as prime sponsor(s).

House Bill No. 632: Rep(s). U. Jones as prime sponsor(s).

House Bill No. 959: Rep(s). Purcell as prime sponsor(s).

House Bill No. 1500: Rep(s). Duer as prime sponsor(s).

**SPONSORS REMOVED**

On motion, Rep. Wix was removed as sponsor of House Bill No. 858.

On motion, Rep. Whitson was removed as sponsor of House Bill No. 1095.

**MESSAGE FROM THE SENATE**  
March 8, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 1587; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

Senate Bill No. 1587 -- Blount County -- Increases hotel/motel and campground tax. Amends Chapter 102, Private Acts of 1979, as amended. by \*Koella.

**MESSAGE FROM THE SENATE**  
March 8, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 840; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**ENGROSSED BILLS**  
March 8, 1993

The following bill(s) have been examined, engrossed, and are



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ready for transmission to the Senate: House Joint Resolution(s) No(s). 104.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

MESSAGE FROM THE SENATE

March 8, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 4, 51 and 982; substituted for Senate Bill(s) on the same subject(s) and passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 8, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 56 and 89; for the signature of the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 8, 1993

MR. SPEAKER: I am directed to return to the House, House Bill(s) No(s). 246, 266, 556, 650, 652, 672, 976, 989, 1154 and 1155; also; also, House Joint Resolution(s) No(s). 53, 74, 75, 76, 78 and 90; signed by the Speaker.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

MESSAGE FROM THE SENATE

March 8, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Joint Resolution(s) No(s). 71; adopted for concurrence.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

\*Senate Joint Resolution No. 71 -- Highway Signs -- "Governor Ned McWherter Bridge," bridge over Tennessee River. by \*Hamilton.

MESSAGE FROM THE SENATE

March 8, 1993

MR. SPEAKER: I am directed to transmit to the House, Senate Bill(s) No(s). 353, 490, 612, 650, 1008, 1186, 1268, 1294, 1466,

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1474 and 1547; passed by the Senate.

CLYDE W. McCULLOUGH, JR., Chief Clerk.

**\*Senate Bill No. 0353** -- County Officers -- Abolishes office of constable in Benton County. Amends TCA 8-10-101. by \*Hamilton.

**\*Senate Bill No. 0490** -- Game and Fish Laws -- Authorizes furriers to buy and sell pelts and hides without being licensed as fur dealer. Amends TCA, Title 70, Ch. 2, Pt. 2. by \*Greer.

**\*Senate Bill No. 0612** -- Game and Fish Laws -- Defines "watchable wildlife"; creates Watchable Wildlife Endowment Fund. Amends TCA 70-8-103, 110. by \*Greer, \*McNally, \*Crowe.

**Senate Bill No. 0650** -- Game and Fish Laws -- Authorizes donation and sale of game and fish lawfully acquired to charitable organizations to conduct fundraising sales. Amends TCA, Title 70. by \*Hamilton, McKnight.

**\*Senate Bill No. 1008** -- Metropolitan Government -- Authorizes issuance and service of citations for violation of ordinances, laws and regulations; increases maximum penalty for violation of ordinances and laws. Amends TCA, Title 7, Ch. 1. by \*Haynes.

**\*Senate Bill No. 1186** -- Highways, Roads and Bridges -- Includes segment of U.S. 41, Hamilton County in scenic highway system. Amends TCA, Title 54, Ch. 17, Pt. 1. by \*Crutchfield.

**Senate Bill No. 1268** -- Highway Signs -- "Dandridge," I-40. by \*Wallace.

**\*Senate Bill No. 1294** -- Highway Signs -- "James Herbert Rice, Sr. Memorial Bridge," U.S. 412 Overpass, Dyer County. by \*Hamilton.

**\*Senate Bill No. 1466** -- Highway Signs -- "Historic Manskers Station Frontier Life Center," I-65. by \*Wright, Henry, Womack, Cooper, Haynes.

**\*Senate Bill No. 1474** -- Highway Signs -- Various cultural and tourist attractions in Shelby County. by \*Kyle.

**Senate Bill No. 1547** -- Highway Signs -- "Freed-Hardeman University," I-40. by \*Wilder, McKnight.

#### ENGROSSED BILLS

March 8, 1993

The following bills have been examined, engrossed, and are ready for transmission to the Senate: House Bill(s) No(s). 510, 515, 618, 1322, 1340, 1408, 1409, 1589 and 1598; also, House Joint Resolution(s) No(s). 113.

BETTY KAY FRANCIS, Chief Engrossing Clerk.

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CONSENT CALENDAR

The following local bill(s) have been placed on the Consent Calendar for Monday, March 15, 1993: House Bill(s) No(s). 1601 and 1602.

ROLL CALL

The roll call was taken with the following results:

Present . . . . . 93

Representatives present were: Allen, Anderson, Armstrong, Arriola, Bell, Bittle, Boyer, Bragg, Brooks, Brown, Buck, Byrd, Callicott, Chiles, Chumney, Clark, Coffey, Cole (Carter), Cole (Dyer), Collier, Crain, Cross, Davidson, Davis, DeBerry, Dixon, Duer, Ferguson, Fisher, Garrett, Givens, Haley, Halteman, Harwell, Hargrove, Hassell, Haun, Head, Herron, Hillis, Huskey, Jackson, Jones R (Shelby), Joyce, Kent, Kernell, Kisber, Knight, Lewis, Liles, Love, McAfee, McDaniel, McKee, Meyer, Miller, Mires, Moore, Napier, Odom, Owenby, Peroulas, Draper, Phelan, Phillips, Pinion, Pruitt, Purcell, Ramsey, Rhinehart, Ridgeway, Rigsby, Rinks, Ritchie, Robinson, Severance, Shirley, Stamps, Stockburger, Stulce, Thompson, Tindell, Turner (Shelby), Venable, Walley, West, Westmoreland, Whitson, Williams (Shelby), Williams (Union), Williams (Williamson), Windle, Wix, Wood, Mr. Speaker Naifeh -- 93.

On motion of Rep. Purcell, the House recessed until 2:00 p.m., Wednesday, March 10, 1993.